

Debbie Beadle

From: Evan Maxim
Sent: Thursday, April 19, 2012 12:54 PM
To: Kamuron Gurol; Susan Cezar; Kathy Curry; Debbie Beadle; Carl de Simas
Subject: FW: Isolated Wetlands False Statement in Report

FYI

*Evan Maxim
Senior Planner
City of Sammamish
425.295.0523*

From: James Osgood [<mailto:james.osgood.officefinder@gmail.com>] **On Behalf Of** Jim Osgood
Sent: Thursday, April 19, 2012 12:29 PM
To: Kamuron Gurol
Cc: Evan Maxim
Subject: Isolated Wetlands False Statement in Report

I am finding that the consultant's statements regarding isolated wetlands are false related to:

"Isolated Wetlands

Wetlands that do not have a continuous surface connection to traditional navigable waters (are

"isolated") may still be regulated by the USACE under the Clean Water Act."

http://www.wsdot.wa.gov/NR/rdonlyres/81AA5CC4-0774-4704-8D32-EB8DA39881E4/0/Wet_IsolatedWetlands.pdf

US Supreme Court said no.

This brings a bias concern related to the consultant providing false information to the Planning Commission. I will be interested in finding out how the can substantiate this.

Jim

(425) 391-8900 Extension 4



<http://www.officefinder.com>

Need Office Space? We can Help!

Office Tenant Rep and Executive Suites Network coverage in over 550 markets

Check out our [Office Space Blog](#)

Receive [Blog updates](#) by email

Follow me on [Twitter](#)

Connect with me on [LinkedIn](#)

EXHIBIT NO. 71.

Buffers - "La Solution du Jour pour Tout"

The Best Available Science (BAS) reports prepared by the consultants present numerous documents describing the buffer widths that are required to protect wetlands and streams. The missing information is what these buffers are protecting the wetlands and streams from.

The scientific method would first identify the problems and then propose and test solutions to the problems. What we see in the BAS reports is one solution (buffers) applied to all of the potential problems that are not even identified.

Further, the reports contain generalized statements like the following that exaggerate the impact of the Sammamish ECA regulations. This statement is about Lake Sammamish.

"The lake's surface water temperature, nutrient and pollutant loading, and sediment and organic debris inputs are all affected by Sammamish's regulations protecting wetlands, streams, and riparian buffers."

Firstly, the surface water temperature is overwhelmingly controlled by the temperature of the air and the heat from the sun. The temperature of the water from Sammamish streams has no measurable impact on the surface temperature of Lake Sammamish.

Secondly, how does building a house on one's property near a stream cause nutrient and pollutant loading? What is the source of the nutrients and pollutants? A structure actually blocks phosphorous and other nutrients in the soil from reaching the wetlands and streams;

Thirdly, are buffers the best solution for keeping sediment and organic debris from entering wetlands and streams and eventually Lake Sammamish? Wouldn't bank stabilization techniques between a house and a stream provide better protection? Buffers offer nothing to control the spread of sediment and organic debris; they are just there.

Buffers of mandated width irrespective of circumstance are easy to cast into regulations and easy to enforce. However, effective regulations should reflect the intended results and proven ways to achieve them, not a convenient "fix" that may or may not address the issues.

Doesn't the environment deserve the best protections available rather than one convenient "fix" for all of the issues?

George Toskey

2430 238th PI NE
Sammamish, WA 98074

EXHIBIT NO. 72.